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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/760,367	01/12/2001	Naohiko Koakutsu	P2662.I	1592

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EXAMINER

LAMB, TWYLER MARIE

ART UNIT PAPER NUMBER

2622

DATE MAILED: 10/14/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/760,367	Applicant(s) KOAKUTSU ET AL.	
	Examiner Twyler M. Lamb	Art Unit 2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 January 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-56 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-56 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.


Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.


TWYLER LAMB
PRIMARY EXAMINER

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 1-56 are rejected under 35 U.S.C. 102(e) as being anticipated by Miyasaka et al. (Miyasaka) (US 6,362,896).

With regard to claims 1, 13, 17, 23, 28-29, 35, 41, 45, 51 and 56, Miyasaka discloses a printing apparatus (Figs. 1 & 5) comprising: a data receiver (62) to receive data from a host device (61) and output that received data (col 9, lines 61-65); a

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memory (65, 67) to store the data output by the data receiver (col 10, lines 15-17); a printer controller (68) to read out the data stored in the memory in a first-in-first-out order and control the printing apparatus in accordance with the data (col 10, lines 17-22); a command detector (64) to detect a predetermined command within the data directly input from the data receiver (col 10, lines 7-14); and a state controller (RS-232C) to change a state of the printing apparatus from an off-line state to an on-line state in accordance with the predetermined command detected by the command detector (col 10, lines 28-42).

With regard to claims 2, 14, 30, 36 and 52, Miyasaka also discloses wherein the state controller changes the state of the printing apparatus substantially simultaneously with the printer controller controlling the printing apparatus (col 10, lines 28-42).

With regard to claims 3, 25, 31 and 53, Miyasaka also discloses wherein the state controller changes the state of the printing apparatus with a higher priority than a priority of the printer controller controlling the printing apparatus (col 3, lines 46-51).

With regard to claims 4, 10, 16, 32, 38 and 44, Miyasaka also discloses wherein the predetermined command comprises plural data units of a predetermined size, and wherein the command detector comprises: a data counter for counting a number of data units, and a comparator to compare a data unit received by the data receiver with a command pattern representing the predetermined command in accordance with the data counter (col 22, lines 31-43).

With regard to claims 5, 15, 18-20, 24, 26-27, 33-34, 37, 39-40, 42-43, 46-48 and 54-55, Miyasaka also discloses wherein the data receiver receives data from the host

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device while interrupting the printer controller controlling the printing apparatus (col 9, lines 61-65).

With regard to claims 6 and 12, Miyasaka also discloses wherein the command detector detects predetermined command from the data input from the data receiver while interrupting the printer controller controlling the printing apparatus (col 9, lines 61-65).

With regard to claim 7, Miyasaka discloses a printing apparatus (Figs. 1 & 5) comprising: a data receiver (62) to receive data from a host device (61) (col 9, lines 61-65); a memory (65, 67) to store the data output by the data receiver (col 10, lines 15-17); a printer controller (68) to read out the data stored in the memory in a first-in-first-out order and control the printing apparatus in accordance with the data (col 10, lines 17-22); a command detector (64) to detect a predetermined command within the data directly input from the data receiver (col 10, lines 7-14); and a state controller (RS-232C) to change a state of the printing apparatus from an off-line state to an on-line state in accordance with the predetermined command detected by the command detector (col 10, lines 28-42).

With regard to claim 8, Miyasaka also discloses wherein the state controller changes the state of the printing apparatus while the printer controller controls the printing apparatus (col 10, lines 28-42).

With regard to claim 9, Miyasaka also discloses wherein the state controller changes the state of the printing apparatus while interrupting the printer controller controlling the printing apparatus (col 9, lines 61-65).

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With regard to claim 11, Miyasaka also discloses wherein the data receiver interrupts the printer controller to receive the data from the host device (col 9, lines 61-65).

With regard to claims 21 and 49, Miyasaka also discloses wherein the predetermined command is not stored in the memory (col 11, lines 11-30).

With regard to claims 22 and 50, Miyasaka also discloses wherein all of the data received by the data receiver is stored in the memory (col 10, lines 15-17).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Twyler Lamb whose telephone number is 703 - 308-8823. The examiner can normally be reached on M-TH (8:30-5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L Coles can be reached on 703-308-4712. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9306 for regular communications and 703-872-9314 for After Final communications.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, DC 20231

or faxed to:

(703) 872-9314

(for informal or draft communications, such as proposed amendments to be discussed at an interview; please label such communications "PROPOSED" or "DRAFT")

or hand-carried to:

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Crystal Park Two

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Arlington, VA.

Sixth Floor (Receptionist)

Twyler Lamb

A handwritten signature in black ink, appearing to be 'Twyler Lamb', written over the date.

September 7, 2004